

**REMARKS**

Claims 1-63 are active in this application. Claims 19-26 and 32-60 stand withdrawn from consideration as being drawn to non-elected subject matter.

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **Claim 1** relates to a substrate, comprising:  
a relief;

wherein **said relief consists of a low surface level and a high surface level,**

said low surface level and said high surface level being separated by a height not less than 1/10 of the dimensions of a plurality of motifs forming said high level, and

said high surface level representing 1 to 65% of a surface of the substrate.

The Examiner has agreed that Azzopardi et al (U.S. 6,299,981, the English equivalent of FR 2, 756,276) has **three height levels** instead of two as claimed (Office Action of July 23, 2004, page 4, lines 12-14). However, the **relief in the substrate of the present invention is limited to two levels** by the use of the phrase “consisting of.” In other words **the substrate of the present invention must carry a relief with two levels**. It is correct that due to the use of “comprising”, the substrate may have additional relieves with other surface levels. However, the resulting substrate would carry a combination of relieves. In other words, the resulting substrate would carry domains of a relief with two levels and domains of other relieves. It is not possible to add levels to the claimed two level relief due to the use of “consisting of.” In contrast, the relief of Azzopardi et al has three levels. There is no disclosure or suggestion to omit one of the levels of Azzopardi et al to obtain a relief with two levels as claimed. Even if the claimed two level relief was combined with, for example, a three level relief, the suggested combination would not result in the relief of Azzopardi et al, which disclose only a three level relief and not a two level relief or a combination of a two

level relief and a three level relief. Thus, the present invention cannot be anticipated by or obvious over Azzopardi et al.

Further, the substrate of the present invention has excellent hydrophobic properties as shown by the angles of advance and retreat shown in the Table at page 11 of the specification. Notably, advancing angles as high as 170 degrees and retreating angles as high as 155 degrees can be achieved. There is no disclosure or suggestion in Azzopardi et al that such excellent hydrophobic properties can be achieved with two height levels.

Therefore, the rejection of Claims 1-18, 27,28-31 and 61-63 under 35 U.S.C. § 102(b) as anticipated by Azzopardi et al is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

In regard to **non-elected Claims 19-26 and 32-60**, Applicants note that should Claim 1 found allowable, these Claims should be allowable as well as they relate to methods of making the substrate of Claim 1 and directly or indirectly depend on Claim 1.

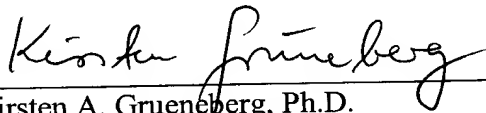
Application No. 09/926,367  
Reply to Office Action of: July 23, 2004

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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